

1 ARTURO RIVERA #92503  
 HOBP - P.O. Box 650  
 2 Indian Springs, NV 89070

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 4 UNITED STATES DISTRICT COURT  
 5 DISTRICT OF NEVADA  
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7 ARTURO RIVERA, Case No.  
 8 Petitioner, EX PARTE, REQUEST FOR  
 9 vs. APPOINTMENT OF COUNSEL  
 10 STATE OF NEVADA, IN A FEDERAL HABEAS CORPUS  
 11 Respondent, 28 U.S.C. 2254 CASE  
 12

13 TO THE HONORABLE JUDGE  
 14

15 COMES NOW PETITIONER, ARTURO RIVERA, IN PROSE,  
 16 RESPECTFULLY REQUEST THAT THIS COURT GRANT  
 17 AN APPOINTMENT OF COUNSEL IN AND FOR THE  
 18 2254 HABEAS CORPUS PROCEEDINGS.

19 HABEAS CORPUS PROCEEDINGS ARE OF FUNDA-  
 20 MENTAL IMPORTANCE IN OUR CONSTITUTIONAL  
 21 SCHEME - THEY PROTECT OUR MOST VALUED RIGHTS,  
 22 SEE: 18 U.S.C. § 3006A(g), 28 U.S.C. § 1915(e)(1) AND  
 23 BROWN VS VASQUEZ, 952 F.2d 1169, 1169 (9th Cir 1991).

24 THIS COURT HAS THE ABSOLUTE AUTHORITY TO  
 25 APPOINT COUNSEL TO ASSIST THIS INDIGENT PERSON.  
 26 IN THE PRESENT CASE PETITIONER DOES NOT  
 27 HAVE THE FINANCIAL RESOURCES TO RETAIN  
 28 COUNSEL. (PLEASE SEE ATTACHED AFFIDAVIT -

OF INDIGENCY). THE SUBSTANTIVE AND PROCEDURAL MATTERS IN THIS CASE ARE TOO COMPLEX FOR PETITIONER'S COMPREHENSION AND ABILITIES. IN ADDITION, BY REASON OF HIS INCARCERATION, CANNOT INVESTIGATE, TAKE DEPOSITIONS, LOCATE WITNESSES, VIDEO SURVEILLANCE AND MANY OTHER EVIDENTIARY MATERIALS ON HIS OWN ACCOUNT, HEREBY PROVE HIS INNOCENCE.

PETITIONER WAS SENTENCE TO THREE (3) CONSECUTIVE LIFE TERMS AND AN ADDITIONAL 12 MONTHS, CONSECUTIVE AS WELL, BY A JURY.

THIS WAS THE RESULT OF THE COURT'S ABUSE OF DISCRETION, THE PROSECUTION'S LECTURE OF "SOPHISTRIES" AND INEFFECTIVE ASSISTANCE OF COUNSEL, WHICH CONVINCED THE JURY THAT TWO (2) STREET PROSTITUTES WITH A LENGTHY CRIMINAL RECORD (3 CARJACKING, PROSTITUTIONS, DRUG SELLS/POSSESSION AND OTHER BAD ACTS) WERE SEXUALLY ASSAULTED BY PETITIONER WITH A DEADLY WEAPON. THEREFORE, THE ENDS OF JUSTICE WOULD BE BEST SERVED WITH THE APPOINTMENT OF COUNSEL. PARTICULARLY, WITH THE PRESENTATION OF FACTS, CONFLICTING WITH THE ALLEGED VICTIM'S TESTIMONIES, WHICH EXIST IN THE SURVEILLANCE VIDEO IN THE HIGH CAMO AREA, WHERE THE ALLEGED CRIMES HAD TAKEN PLACE, THE MERITS AND LEGAL COMPLEXITIES OF THIS CASE. PETITIONER IS LOOKING FOR-


1 A FAIR CRACK OF THE WHIP. AT THE END  
 2 OF THE DAY, THE COMPLEXITIES OF THE ISSUES  
 3 IN RELATION TO PETITIONER'S SENTENCE, IMPLICATE  
 4 THE NEED OF COUNSEL TO PROMOTE FAIRNESS  
 5 AND JUSTICE.

### 6 Conclusion

7 FOR THE AFOREMENTIONED REASONS, THIS  
 8 COURT SHOULD APPOINT COUNSEL TO REPRESENT  
 9 PETITIONER IN AND ALL FURTHER PROCEEDING IN  
 10 THE § 2254 FEDERAL HABEAS CORPUS ACTION.

11  
 12 DATED THIS DAY OF

13  
 14 Respectfully Submitted

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 17   
 18 ARTURO RIVERA-#92503  
 19 PETITIONER IN VIO SO  
 20 HD SP - P.O. BOX 650  
 21 INDIAN SPRINGS, NV 89070  
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